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EXAMINER

GAUTHIER, GERALD

ART UNIT

PAPER NUMBER

2645

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4

Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/942,796

Applicant(s)

BHOGAL ET AL.

Examiner

Gerald Gauthier

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other:

## DETAILED ACTION

### *Claim Objections*

1. **Claims 7, 19 and 26** are objected to because of the following informalities:

**claim 7**, line 6 "the requested message" is lack of antecedent basis.

**Claim 19**, line 8 and **claim 26**, lines 6-7 have the same problem. Correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1-6, 13-18 and 25** are rejected under 35 U.S.C. 102(b) as being anticipated by Penzias (US 5,475,738).

Regarding **claim 1**, Penzias discloses an interface between text and voice messaging method (column 1, lines 6-9), (which reads on claimed "a method for entering messages into a database"), the method comprising:

receiving a message (column 4, line 31 "a text message") from a user (column 4, line 33 "an email user") by means of one of a plurality of allowable communication devices (column 4, lines 31-40) [The TTS interface receives a text message sends by an email user of a computer system];

entering the message into a designated account (column 4, line 51 "particular individuals") in the database (column 4, lines 50-53) [The message is stored in the database based on the email addresses]; and

storing the message in a uniform storage format (column 4, line 42 "a voice messaging system") specified for the account, wherein the uniform storage format is independent of a data format (column 4, line 43 "a text messaging system") used by the communication device (column 4, lines 41-49) [The TTS interface determines a voice messaging system correspond to the text messaging system].

Regarding **claims 2 and 14**, Penzias discloses wherein the allowable communication devices include:

telephone (32 on FIG. 1);

mobile telephone (32 on FIG. 1);

computer PDA (32 on FIG. 1); and

pager (32 on FIG. 1).

Regarding **claims 3 and 15**, Penzias discloses requesting personal identification information from the user, wherein the information is used to verify access rights to the database (column 4, lines 59-65).

Regarding **claims 4 and 16**, Penzias discloses wherein the message entered into the database is a voice message (column 4, lines 23-30).

Regarding **claims 5 and 17**, Penzias discloses wherein the message entered into the database is a text message (column 4, lines 31-40).

Regarding **claims 6 and 18**, Penzias discloses wherein the uniform storage format specified for the database account may be one of the following: AU (column 4, lines 59-65).

Regarding **claim 13**, Penzias discloses an interface between text and voice messaging (column 1, lines 6-9), (which reads on claimed “a computer program product in a computer readable medium (column 4, line 3 “mass storage device”) for use in a data processing system, for entering messages into a database”), the computer program product comprising:

instructions for receiving a message (column 4, line 31 “a text message”) from a user (column 4, line 33 “an email user”) by means of one of a plurality of allowable communication devices (column 4, lines 31-40) [The TTS interface receives a text message sends by an email user of a computer system];

instructions for entering the message into a designated account (column 4, line 51 “particular individuals”) in the database (column 4, lines 50-53) [The message is stored in the database based on the email addresses]; and

instructions for storing the message in a uniform storage format (column 4, line 42 “a voice messaging system”) specified for the account, wherein the uniform storage format is independent of a data format (column 4, line 43 “a text messaging system”) used by the communication device (column 4, lines 41-49) [The TTS interface determines a voice messaging system correspond to the text messaging system].

Regarding **claim 25**, Penzias discloses an interface between text and voice messaging (column 1, lines 6-9), (which reads on claimed “a system for entering messages into a database”), the system comprising:

a receiver (16 on FIG. 1) adapted to receive a message (column 4, line 31 "a text message") from a user (column 4, line 33 "an email user") by means of one of a plurality of allowable communication devices (column 4, lines 31-40) [The TTS interface receives a text message sends by an email user of a computer system];

a filing component (20 on FIG. 1) adapted to enter the message into a designated account (column 4, line 51 "particular individuals") in the database (column 4, lines 50-53) [The message is stored in the database based on the email addresses];  
and

a storage component (24 on FIG. 1) adapted to store the message in a uniform storage format (column 4, line 42 "a voice messaging system") specified for the account, wherein the uniform storage format is independent of a data format (column 4, line 43 "a text messaging system") used by the communication device (column 4, lines 41-49) [The TTS interface determines a voice messaging system correspond to the text messaging system].

4. **Claims 7-12, 19-24 and 26** are rejected under 35 U.S.C. 102(b) as being anticipated by Rhee (US 5,524,137).

Regarding **claim 7**, Rhee discloses an multi-media messaging system (column 1, lines 5-7), (which reads on claimed "a method for retrieving messages from a database"), the method comprising:

receiving a message-retrieval request (column 4, line 50 "a user's call") from a user (column 4, line 52 "a user") by means of one of a plurality of allowable communication devices (column 4, lines 50-59) [The system receives a user's call to retrieve messages at user's station];

retrieving the requested message from a designated account (column 5, line 21 "message") in the database, wherein the message is stored in a uniform storage format (column 5, line 23 "audio") specified for the account (column 5, lines 20-29) [The system access a table to obtain the message selected by the user in the format saved];

converting the message contents from the uniform storage format to a data format (column 5, line 23 "video") compatible with the communication device (column 5, lines 20-29) [The format converter processor would convert the format from the stored message to the format desired]; and

conveying the message contents to the user (column 5, lines 40-42) [The system outputs the message in the user selected format].



Regarding **claims 8 and 20**, Rhee discloses wherein the allowable communication devices include:

Telephone (120 on FIG. 1);

computer PDA (121 on FIG. 1).

Regarding **claims 9 and 21**, Rhee discloses requesting personal identification information from the user, wherein the information is used to verify access rights to the database (column 5, lines 5-13).

Regarding **claims 10 and 22**, Rhee discloses wherein the message retrieved from the database is a voice message (column 5, lines 20-29).

Regarding **claims 11 and 23**, Rhee discloses wherein the message retrieved from the database is a text message (column 5, lines 20-29).

Regarding **claims 12 and 24**, discloses wherein the uniform storage format specified for the database account may be one of the following: AU (column 5, lines 20-29).

Regarding **claim 19**, Rhee discloses an multi-media messaging system (column 1, lines 5-7), (which reads on claimed “computer program product in a computer readable medium (column 2, line 26 “system processor”) for use in a data processing system, for retrieving messages from a database”), the computer program product comprising:

instructions for receiving a message-retrieval request (column 4, line 50 “a user’s call”) from a user (column 4, line 52 “a user”) by means of one of a plurality of allowable communication devices (column 4, lines 50-59) [The system receives a user’s call to retrieve messages at user’s station];

instructions for retrieving the requested message (column 5, line 21 “message”) from a designated account (column 5, line 8 “login/password”) in the database, wherein the message is stored in a uniform storage format (column 5, line 23 “audio”) specified for the account (column 5, lines 20-29) [The system access a table to obtain the message selected by the user in the format saved];

instructions for converting the message contents from the uniform storage format to a data format (column 5, line 23 “video”) compatible with the communication device (column 5, lines 20-29) [The format converter processor would convert the format from the stored message to the format desired]; and

instructions for conveying the message contents to the user (column 5, lines 40-42) [The system outputs the message in the user selected format].

Regarding **claim 26**, Rhee discloses an multi-media messaging system (column 1, lines 5-7), (which reads on claimed "a system for retrieving messages from a database"), the system comprising:

a receiver (111 on FIG. 1) adapted to receive a message-retrieval request (column 4, line 50 "a user's call") from a user (column 4, line 52 "a user") by means of one of a plurality of allowable communication devices (column 4, lines 50-59) [The system receives a user's call to retrieve messages at user's station];

a retrieving component (112 on FIG. 1) adapted to retrieve the requested message (column 5, line 21 "message") from a designated account (column 5, line 8 "login/password") in the database, wherein the message is stored in a uniform storage format specified for the account (column 5, lines 20-29) [The system access a table to obtain the message selected by the user in the format saved];

a conversion component (116 on FIG. 1) adapted to convert the message contents from the uniform storage format to a data format (column 5, line 23 "video") compatible with the communication device (column 5, lines 20-29) [The format converter processor would convert the format from the stored message to the format desired]; and

a conveyance component (111 on FIG. 1) adapted to convey the message contents to the user (column 5, lines 40-42) [The system outputs the message in the user selected format].

**Conclusion**

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Iribarren is cited for a system for integrating voice through a computer (FIG. 2).


Meermans is cited for an automatic voice/text translation of messages (FIG. 1).

Dahlén is cited for a telecommunications speech/text conversion and message delivery system (FIG. 1).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

  
g.g.  
April 4, 2003

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
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